

AVX Corporation
1 AVX Boulevard
Fountain Inn, SC 29644

AMENDMENT OF ADMINISTRATIVE CONSENT ORDER

1. Section III, paragraph 22, that stated in Amendment #4:


(b). The parties shall participate in a conference call or meeting to attempt to resolve the dispute within forty five (45) days of MassDEP's receipt of Respondent's notice of dispute.

(b). The parties shall participate in a conference call or meeting to attempt to resolve the dispute within ten (10) days of AVX's receipt of MassDEP's correspondence entitled, "Written Determination Regarding Phase III Remedial Action Plan."

3. This Consent Order Amendment shall become effective on the date that it is executed by MassDEP.

4. The Department represents that the Regional Director has the authority to issue this Order on behalf of the Department.
5. All of the original provisions contained in Paragraph 22 remain in full force and effect for all other instances of dispute resolution except for the dispute raised in the above referenced letter from counsel for the Respondent dated December 12, 2016.
6. All of the remaining provisions of this Order, specifically Section III, which addresses the terms and conditions for imposing stipulated penalties, remain in full force and effect.

Consented To:


By: 
Evan Slavitt
Senior Vice President, General Counsel & Corporate Secretary
AVX Corporation
1 AVX Boulevard
Fountain Inn, South Carolina 29644

Federal Employer Identification Number: 33-0379007

Date: _____

Issued By:

DEPARTMENT OF ENVIRONMENTAL PROTECTION

By:  Millie Garcia-Serrano
Millie Garcia-Serrano, MPH
Regional Director
Department of Environmental Protection
20 Riverside Drive
Lakeville, Massachusetts 02347

Date: January 31, 2017